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NATIONAL SEMICONDUCTOR CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREGORY BENDER, an individual,

Plaintiff,

vs.

NATIONAL SEMICONDUCTOR
CORPORATION, a Delaware corporation,

Defendant.

Case No. C09-01151 JSW

**STIPULATION AND ~~PROPOSED~~ ORDER
RE: CASE MANAGEMENT
CONFERENCE**

Judge: Hon. Jeffrey S. White

Date Filed: March 16, 2009
Trial Date: None

Pursuant to Civil L.R. 6-2 and 7-12, Plaintiff Gregory Bender (“Bender”) and Defendant National Semiconductor Corporation (“National Semiconductor”), hereby stipulate and request an order to change the date set for the Court’s initial case management conference in this action, and the deadlines for the filing of a joint case management statement with the Court and service of a responsive pleading as follows:

1. The Court’s initial case management conference, previously scheduled for December 11, 2009, shall be heard on February 5, 2010; at 1:30 p.m.;
2. The parties shall file a joint case management statement pursuant to Civil L.R. 16-9 by January 29, 2010; and
3. The parties shall exchange Rule 26 disclosures on or before January 29, 2010.

Good cause exists for the requested change of time. National Semiconductor filed a motion to dismiss the Amended Complaint, and the hearing is scheduled for December 11, 2009. In view of these developments, the parties respectfully request that the Court grant this Stipulation to Change Date.

One previous time modification has occurred in this action in connection with National Semiconductor’s motion to dismiss the original Complaint.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: December 3, 2009

BERGESON, LLP

By: _____/s/

Melinda M. Morton, Esq.
Attorneys for National Semiconductor

Dated: December 3, 2009

DAVID N. KUHN

By: _____/s/

David N. Kuhn, Esq
Attorney for Bender


ORDER

In accordance with the foregoing stipulation of the parties, and with good cause appearing therefor, the Court enters the Stipulation as an Order of the Court.

IT IS SO ORDERED.

Dated: December 4, ____, 2009

By: _____


Honorable Jeffrey S. White
United States District Judge